



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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August 24, 2009

Daniel Satterberg, Prosecuting Attorney
W 400 King County Courthouse
516 Third Ave
Seattle, WA 98104

Subject: Complaint Filed Against Jessie Israel - PDC Case No. 09-107

Dear Mr. Satterberg:

The Public Disclosure Commission (PDC) staff has completed its investigation of a complaint referred by you to our office, received March 27, 2009, alleging that Jessie Israel, a candidate for Seattle City Council, used the public facilities of King County to assist her 2009 campaign for Seattle City Council. PDC staff reviewed the allegations in light of the following statute:

RCW 42.17.130 prohibits elected officials, their employees, and persons appointed to or employed by a public office or agency from using or authorizing the use of public facilities, directly or indirectly, for the purpose of assisting a candidate's campaign or for the promotion of, or opposition to, any ballot proposition. This prohibition does not apply to activities that are part of the normal and regular conduct of the office or agency.

We reviewed the Findings and Order issued by the King County Ombudsman's Office, and spoke with Chuck Sloane, Deputy King County Ombudsman. We also reviewed Ms. Israel's response to the complaint, spoke with Ms. Israel, and reviewed the email she sent to King County employees. As a result of our review, we found:

I.

Background and Findings of King County Ombudsman

- Jessie Israel is a Marketing and Enterprise Manager for King County Parks and Recreation, a division of King County government.
- On July 15, 2008, Ms. Israel filed a Candidate Registration (PDC form C-1) listing herself as a 2009 candidate for Seattle City Council.
- On January 29, 2009, Ms. Israel sent a broadcast email to more than 1,800 e-mail addresses. Of those addresses, 210 ended in "kingcounty.gov" meaning



that they were sent to King County employees at their King County email address.

- On January 30, 2009, an ethics complaint was filed with the King County Ombudsman. The complainant alleged that Ms. Israel sent an e-mail from a personal computer to numerous King County employees. In the email, Ms. Israel announced her candidacy for Seattle City Council and asked for: 1) the recipient's support and endorsement; 2) a contribution; and 3) for her email to be forwarded to five other people.
- The ethics complaint was investigated by Chuck Sloane, Deputy King County Ombudsman. Mr. Sloane noted that the campaign e-mail was prepared and issued on Ms. Israel's personal time and equipment, but its distribution relied upon, and necessitated the use of, the King County computer system, which are King County facilities. Mr. Sloane also noted that Ms. Israel's appeal for the recipient to forward the message created the possibility of additional use of county resources by those recipients.
- Mr. Sloane concluded that reasonable cause existed to believe that Ms. Israel had violated KCC (King County Code) 3.04.020(E), which states that employees shall not use or authorize the use of the facilities of King County for campaign purposes, except as authorized by RCW 42.17.130.

II.

PDC Findings

- Jessie Israel acknowledged that on January 29, 2009, she sent a broadcast email to more than 1,800 contacts. The email was sent from her home computer during non-working hours. This was her campaign's first attempt at using broadcast e-mails.
- Ms. Israel's campaign database is hosted online by the business "Complete Campaigns." The email addresses were uploaded from Ms. Israel's personal Outlook contact list. Many of the contacts had multiple email addresses. Ms. Israel and a volunteer worked to clean up the data fields prior to sending the broadcast email. The Complete Campaigns service includes a feature for prioritizing one email address over another, such as personal over business. All ".gov" addresses were to be marked as secondary addresses and were not to be used for the campaign in any way.
- The steps Ms. Israel took to prevent the broadcast emails from being sent to ".gov" email addresses did not work as planned, and the campaign email was inadvertently sent to 210 King County employees. Ms. Israel stated that she believed she had taken all of the necessary steps to prevent emails from being sent to King County employees at their work email address, and said she somehow misunderstood the priority protocol of the software she was using. To

prevent future broadcast emails from being sent to ".gov" addresses, Ms. Israel has had the ".gov" e-mail addresses deleted from the Complete Campaigns database.

- Ms. Israel stated that she populated her contact list over a period of many years, and that the contacts came from her personal cell phone, personal emails she received, social-networking sites accessed from her personal computer, holiday lists, and boards she served on in her personal capacity. The campaign database was then created from her personal Outlook contact file. Ms. Israel stated that no addresses were downloaded from her King County computer.

Relying on a public agency's computer system to receive and make available a campaign email prepared and issued by a public agency employee on his or her personal time and equipment is not evidence that the employee used, directly or indirectly, public facilities to assist his or her campaign. Thus, no evidence was found that Ms. Israel used the facilities of King County to assist her campaign for Seattle City Council when she sent campaign emails from her personal computer to King County employees at their "kingcounty.gov" email addresses.

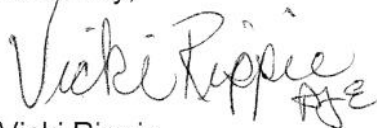
Ms. Israel will be reminded that sending campaign emails to public agency employees at their work email addresses increases the likelihood that those employees may use public facilities to assist a campaign.

After a careful review of the alleged violations and relevant facts, we have concluded our investigation and, with the concurrence of the Chair of the Public Disclosure Commission, I am dismissing your complaint against Jessie Israel. Ms. Israel is being notified of this dismissal by separate letter.

Thank you for bringing this matter to our attention. The process relies on citizens monitoring campaign activity to promote full compliance with the law. Your actions will contribute to better awareness of the Public Disclosure Law.

If you have questions, please contact Phil Stutzman, Director of Compliance, at (360) 664-8853 or toll free at 1-877-601-2828, or by email at pstutzman@pdc.wa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Vicki Rippie". The signature is written in dark ink and is positioned above the printed name and title.

Vicki Rippie
Executive Director